

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SUMITH B. SAMARAKOON,

Plaintiff,

v.

RICHARD DISTASO, et al.,

Defendants.

Case No. 1:25-cv-00517-BAM

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

On May 2, 2025, Plaintiff Sumith B. Samarakoon filed this civil rights action against Defendants Richard Distaso, Tracy Toledo, Yvette Allivato, and Jennifer Tercerro. (Doc. 1.) Plaintiff proceeds *pro se* and *in forma pauperis*. (Docs. 1-2.)

Plaintiff's complaint alleges constitutional violations arising out of Plaintiff's interactions with Stanislaus County Superior Court and Child Protective Services. (Doc. 1.) Plaintiff further states "the events and omissions giving rise to this action occurred in Stanislaus County, California." (Doc. 1 at 2.) The events in the complaint are alleged to have occurred in Modesto and elsewhere in Stanislaus County, which is a part of the Sacramento Division of the United States District Court for the Eastern District of California. (*See* Doc. 1.) All civil actions and proceedings of every nature and kind arising in Stanislaus County must be commenced in the United States District Court sitting in Sacramento, California. *See* L.R. 120(d). Therefore, the complaint should have been filed in the Sacramento Division.

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper court may, on the court's own motion, be transferred to the proper court. Therefore, this action will be transferred to the Sacramento Division. Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) will also be transferred to the Sacramento Division.

Good cause appearing, IT IS HEREBY ORDERED that:

1. This action is transferred to the United States District Court for the Eastern District of California sitting in Sacramento; and
2. All future filings shall refer to the new Sacramento case number assigned and shall be filed at:

United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

IT IS SO ORDERED.

Dated: May 2, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE